IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.21300 of 2004

Between:

Pulipati Ramachandramurthi, S/o Late Rama Rao, Hindu,
R/o Aswaraopet Village and Mandal, Khammam District.

..... PETITIONER

AND

1 The District Collector, Khammam.
2 The Mandal Revenue Officer, Aswaraopet Mandal, Aswaraopet,

Khammam District.
3 Mullagiri Gangaraju, S/o Nandaiah,Hindu,
R/o Donthikunta of Aswaraopet Village and Mandal, Khammam

District.
4 Mullagiri Muthyam,
R/o Donthikunta of Aswaraopet Village and Mandal, Khammam

District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more one in the nature of Writ of Mandamus, to declare the action of the respondents 1 and 2 by trying to dispossess the petitioner and to hand over the said land to extent of Ac. 5.00 in Sy.No.108 of Aswaraopet Village and Mandal, Khammam District to the principles of natural justice.

Counsel for the Petitioner: MR.KILARU KHADER BABA

Counsel for the Respondent Nos.1 and 2: GP FOR REVENUE

Counsel for the Respondent Nos.3 and 4: --

The Court at the stage of admission made the following:

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ORDER:

The case of the petitioner, in brief, is that in the year 1994 he was assigned the dry land to an extent of Ac.5.00 in Survey No.108 of Aswaraopet village, Khammam District by the Government and the then Mandal Revenue Officer, Aswaraopet also issued patta certificate in Rc.No.C/160/94, dated 27.07.1994 and since then he has been in continuous possession and enjoyment of the same by raising crops therein. While so, the 2nd respondent-Mandal Revenue Officer is trying to dispossess him from the said land and to deliver the same to the respondent Nos.3 and 4. Hence this writ petition.

Heard the learned counsel for the petitioner and learned Government Pleader for Revenue appearing for respondent Nos.1 and 2.

It appears that on a mere apprehension that the 2nd respondent-Mandal Revenue Officer would dispossess him from the land in question and deliver the same to the respondents 3 and 4, the petitioner filed the present writ petition seeking relief against private parties-respondents 3 and 4. If at all the petitioner has any grievance, he can approach the 1st respondent-District Collector for appropriate relief, but the petitioner by filing the present writ petition is not entitled to seek any relief against the private individuals. This writ petition is not maintainable and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed at the stage of admission. No costs.

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(N.V. RAMANA, J)

Date: 22.11.2004

Nsr/Asp

To

1 The District Collector, Khammam.
2 The Mandal Revenue Officer, Aswaraopet Mandal, Aswaraopet,

Khammam District.
3 Two CCs to GP for Revenue, High Court of AP, Hyderabad (OUT)

4 Two CD copies.